

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Charles Crosby
Serial No.: 10/084,008
Filed: 02/27/2002
For: PULSE CAM
Examiner: David M. Shay
Attorney Docket No.: PC-1204

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Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

SENT BY FACSIMILE ON FRIDAY JANUARY 27, 2006 TO:
(571) 273-8300


Honorable Commissioner:

I enclose the following papers:

1. SUPPLEMENTAL DECLARATION
(Two pages and One Page Attachment)
2. Request for Reconsideration Request(One Page)

Please enter the above correspondence which totals five(5) pages including the cover sheet.


Respectfully submitted,


Brian S. Steinberger
Attorney at Law
PTO Registration No. 36,423
101 Brevard Avenue
Cocoa, Florida 32922
(321) 633-5080 Facsimile (321) 633-9322

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below as a FACSIMILE TO (571) 273-8300, addressed to the: Commissioner of Patents and Trademarks, P.O. Box 1450 Alexandria, VA 22313-1450.

1/27/06
Date

Brian S. Steinberger
(Name of Person FAXING Attached Papers)

(Signature of Person FAXING Attached Papers)

Appl No.: 10/084,008

Atty. Dkt.
PC-1204**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL REQUEST FOR RECONSIDERATION

Sir:

This is a supplemental request to the request for reconsideration that was filed December 27, 2005, and is in response to the interview with the examiner on January 26-27, 2006. Applicant respectfully requests RECONSIDERATION of this application and incorporation of the Supplemental Declaration. Reconsideration is respectfully requested.

In addition to the previously submitted declaration, the additional supplemental declaration clarifies that the attached drawing figure is an illustration of the Tens Cam Model 102 which was NOT publicly disclosed by the inventor until March 2002 which was AFTER the filing date of the subject application in February 2002.

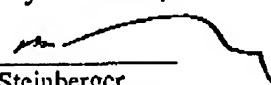
The attached supplemental declaration further declares that this attached illustration was NOT part of the prior art (OA) references to LISS and the earlier Tens Cam manual which was submitted to the patent office in February 2002. The attached illustration of the Tens Cam Model 102 was NOT intended by applicant to be part of any prior art reference that was publicly available BEFORE the subject invention was filed. To the inventor's knowledge this prior art attachment figure was NOT publicly available BEFORE the subject application was filed for in February 2002.

In addition, the attached supplemental declaration states that "It was not until recently that I (the inventor) learned that this attaching drawing figure was inadvertently transmitted as part of the original filing documents, which is the reason for this declaration."

No additional fees are believed due since these papers are a supplement to the papers filed December 27, 2005.

As such, applicant respectfully requests the subject invention be allowed and that claims 1, 2, 5-10, 13-15, 17, 26, 27, 28, 30 be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;



Brian S. Steinberger
Registration No. 36,423
101 Brevard Avenue
Cocoa, Florida 32922
Telephone: (321) 633-5080

Date 1/27/06

Attorney Dkt: PC-1204

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SUPPLEMENTAL DECLARATION UNDER 37 CFR 1.132

Honorable Commissioner of Patents
and Trademarks
P.O. BOX 1450
Alexandria, Virginia 22313-1450

Sir:

As a supplement to my previously submitted declaration dated October 28, 2005, I Charles J. Crosby D.O. M.D.(H), FAAOS, FAAO further declares that:

10. The attached drawing figure entitled: "Construction and Wiring Diagram" which shows a cylindrical "PVC" housing with a "Crystal Sphere.." in front of a wire wrapped "Silicon Dioxide Crystal" is an illustration of the TENS CAM MODEL 102. The TENS CAM MODEL 102 was first publicly disclosed by the inventor in March 2002, which was AFTER the subject patent application was filed in February 27, 2002.

11. To my knowledge this attached drawing figure entitled: "Construction and Wiring Diagram" which shows a cylindrical "PVC" housing with a "Crystal Sphere.." in front of a wire wrapped "Silicon Dioxide Crystal" is an illustration of the TENS CAM MODEL 102 and was NOT publicly available before March 2002 which was AFTER the subject patent application was filed for in February 27, 2002.

12. This attached drawing figure entitled: "Construction and Wiring Diagram" which shows a cylindrical "PVC" housing with a "Crystal Sphere.." in front of a wire wrapped "Silicon Dioxide Crystal" is an illustration of the TENS CAM MODEL 102, and was NOT intended to be included as any reference of prior art that was publicly available before the filing date of the subject invention.

13. This attached drawing figure entitled: "Construction and Wiring Diagram" which shows a cylindrical "PVC" housing with a "Crystal Sphere.." in front of a wire wrapped "Silicon Dioxide Crystal" is an illustration of the TENS CAM MODEL 102 and is NOT part of the LISS BODY STIMULATOR reference which is listed as other art OA that was submitted with the filing of the subject application.

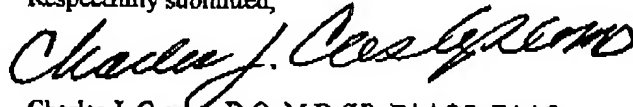
14. This attached drawing figure entitled: "Construction and Wiring Diagram" which shows a cylindrical "PVC" housing with a "Crystal Sphere.." in front of a wire wrapped "Silicon Dioxide Crystal" is an illustration of the TENS CAM MODEL 102 and is NOT part of the TENS CAM PROFESSIONAL MANUAL reference which is listed as other art OB that was submitted with the filing of the subject application.

Attorney Dkt: PC-1204

15. It was not until recently that I learned that this attached drawing figure was inadvertently transmitted as part of the original filing documents, which is the reason for this declaration.

16. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Charles J. Crosby, D.O. M.D.(H), FAAOS, FAAO

Dated: January 27, 2006

Brian S. Steinberger
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Construction and Wiring Diagram

